

drive means engaging the integral beveled gearing surface of the form cutter for providing a driving force to the form cutter; and

means for housing the form cutter and the drive means,

wherein the profile of the form cutter is of a height capable of being admitted into the space between two opposing intervertebral bodies and the head can perform milling action in a direction angled away from the direction of head entry into a space between opposed bodies.

The drill head of Claim [2] 1 wherein the form cutter is provided with a groove about its perimeter.

15 16. A drill head for preparing the bone of two opposing intervertebral bodies to accept the concaval-convex shape of an endoprosthesis comprising:

a form cutter [having a support shaft] capable of imparting a concave shape to the bone of intervertebral bodies and having a support shaft;

drive means for providing a driving force to the form cutter, the drive means including a drive shaft; and

means for housing the form cutter and the drive means,

wherein the angle between the support shaft of the form cutter and the drive shaft is approximately 96°.

**Please add the following new claim:**

14 19. A drill head according to claim 1 wherein said beveled gearing surface is disposed adjacent the periphery of said form cutter.

### REMARKS

This Amendment responds to the Office Action mailed August 2, 1998. The period for response has been extended by the accompanying Petition for extension of time.

Most of the claims have been rejected as anticipated or obvious in view of Noiles 4,662,891 and/or Frigg et al 5,041,119. However, the Examiner has helpfully noted that "claims 3 and 4 are (merely) objected to as being dependant upon a rejected base claim, but would be allowable if rewritten in independent form..." Claims 16-18 are allowed over the prior art of record.

Claim 1 has been amended to include the subject matter of allowed claim 3 and intervening dependent claim 2, as the Examiner suggested. Claims 2 and 3 have been accordingly canceled. Claims 4-15 depend, directly or indirectly, from claim 1.

Claims 16-18 have been allowed. Claim 16 has been amended in minor and formal respect to clarify it.

Claim 19 has been added to further define the invention. It depends from now-allowable claim 1.

The drawings have been objected to as informal. Formal drawings are being prepared and will be submitted in due course.

The Specification has been updated to recite the patent number which has issued as a result of the cited application.

Accompanying this Amendment is a Petition to (1) correct the filing receipt and to (2) formally change the order in which the inventors are named. No inventors are added; no names are stricken from the inventorship denomination.

Since the application appears in condition for allowance, an early action to that effect is earnestly solicited.

Respectfully submitted,



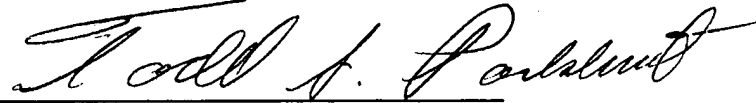
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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on August 6, 1998.

A handwritten signature in cursive script, reading "Todd S. Parkhurst", written in black ink.

Todd S. Parkhurst (Reg. No. 26,494)